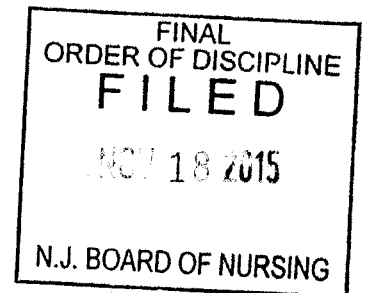
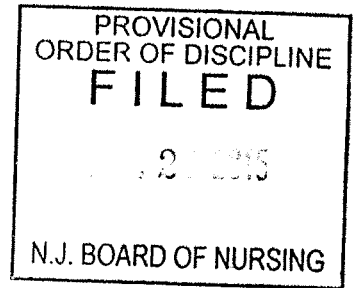


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	<input checked="" type="checkbox"/> PROVISIONAL ORDER
	:	OF DISCIPLINE
BERNICE WUTTKE, R.N.	:	
License # 26NO 05939600	:	<input checked="" type="checkbox"/> FINAL ORDER
	:	OF DISCIPLINE
	:	(Finalized by default
TO PRACTICE NURSING IN THE	:	on <u>November 18, 2015</u> )
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

### FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about June 15, 2015, a letter of inquiry issued on behalf of the Board to respondent's attorney, asking respondent to supply documentation of completion of required nursing continuing education for the June 1, 2012-May 31, 2014 licensing cycle. (Exhibit A)

3. On or about July 1, 2015, respondent's attorney faxed a communication to the Board's attorney, indicating that she was seeking to obtain documentation of continuing education from Community Medical Center. Respondent has not provided documentation in the form of certificates of completion of required nursing continuing education to be attributed to the June 1, 2012-May 31, 2014 licensing cycle. (Exhibit B)

4. N.J.A.C. 13:37-5.3 requires licensees to retain certificates of completion of required continuing education for at least four years.

5. Respondent indicated on her 2014 renewal application that she would have completed required continuing education for the June 1, 2012-May 31, 2014 licensing cycle by May 31, 2014. (Exhibit C)

CONCLUSIONS OF LAW

1. Respondent's failure to document completion of required nursing continuing education is deemed to constitute a violation of N.J.A.C. 13:37-5.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

2. Respondent's indication on his 2014 renewal application that she would complete all required nursing continuing education for the 2012-2014 licensing cycle by May 31, 2014 is deemed to constitute misrepresentation in violation of N.J.S.A. 45:1-21(b).

ACCORDINGLY, IT IS on this 20<sup>th</sup> day of August, 2015,  
ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in  
this matter:

1. Respondent's New Jersey nursing license is hereby suspended until she has documented completion of all required nursing continuing education to be attributed to the 2012-2014 licensing cycle, including the one-hour course in organ and tissue donation.

2. A reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(b).

3. A civil penalty in the amount of \$250 is hereby imposed for respondent's failure to timely complete nursing

continuing education. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and forwarded to the attention of Leslie Burgos-Bonilla, Board of Nursing, P.O. Box 45010, 124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07101 within twenty-one days of the filing of a Final Order of Discipline in this matter.

4. Upon finalization of this order, respondent shall refrain from practicing as a nurse and shall not represent himself as a Registered Professional Nurse until such time as his license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

5. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to Leslie Burgos-Bonilla, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

6. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

7. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

8. In the event that the Board receives no written submission from Respondent within 30 days following filing of this Provisional Order of Discipline, without further Board review, the Provisional Order of Discipline shall automatically become the Final Order of Discipline. The box for Final Order of Discipline shall be checked, the Final Order of Discipline shall be filed, and copies shall be mailed to Respondent. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of

N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may  
subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

By: *Patricia Murphy PhD APN*  
Patricia Murphy, PhD, APN  
Board President